

UNITED STATES DISTRICT COURT

for the

WESTERN District of WASHINGTON

CIVIL Division

JAMALH ANTHONY WILSON

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

STRYDER MOTORFREIGHT, USA, INC.
STRYDER MOTORFREIGHT, CANADA, LTD

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. 2:21-cv-00349 RSL

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	JAMALH ANTHONY WILSON
Street Address	2120 COMMERCE STREET APT 401
City and County	TACOMA, PIERCE COUNTY
State and Zip Code	WASHINGTON, 98402
Telephone Number	(425)-399-4879
E-mail Address	JAMALHWILSON001@GMAIL.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	STRYDER MOTORFREIGHT, USA, INC.
Job or Title <i>(if known)</i>	
Street Address	27232 72 ND AVE SOUTH
City and County	KENT, KING COUNTY
State and Zip Code	WASHINGTON, 98032
Telephone Number	(253)-458-7705
E-mail Address <i>(if known)</i>	APRASAD@GO-STRYDER.COM

Defendant No. 2

Name	STRYDER MOTORFREIGHT, CANADA, LTD.
Job or Title <i>(if known)</i>	
Street Address	7271 NELSON ROAD
City and County	RICHMOND
State and Zip Code	BRITISH COLUMBIA, V6W 1G3
Telephone Number	(604)-270-9118
E-mail Address <i>(if known)</i>	MNAHAL@GO-STRYDER.COM

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

- Equal Pay Act of 1963
- Title VII of the Civil Rights Act of 1964
(Harassment/Hostile Work Environment)
(Disparate Treatment/ Disparate Impact Discrimination)
(Retaliation)

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* JAMALH ANTHONY WILSON, is a citizen of the State of *(name)* WASHINGTON.

b. If the plaintiff is a corporation

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)*, and has its principal place of business in the State of *(name)*.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)*, is a citizen of the State of *(name)*. Or is a citizen of

(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) STRYDER MOTORFREIGHT, USA, , is incorporated under the laws of the State of (name) WASHINGTON , and has its principal place of business in the State of (name) BRITISH COLUMBIA .

Or is incorporated under the laws of (foreign nation) CANADA , and has its principal place of business in (name) STRYDER MO. CANADA, LTD .

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

400,000 - EMOTIONAL PAIN, SUFFERING HARASSMENT, DISCRIMINATION, DISPLAYMENT, RETALIATION, PENITIVE DAMAGES.

DAMAGES FOR UNDER PAYING IT'S EMPLOYEES TO BE DETERMINED BY THE COURT.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) STRYDER MOTORFREIGHT,CAN. , is incorporated under the laws of the State of (name) BRITISH COLUMBIA , and has its principal place of business in the State of (name) BRITISH COLUMBIA .

Or is incorporated under the laws of (foreign nation) CANADA , and has its principal place of business in (name) STRYDER MO. CANADA, LTD .

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

400,000 - EMOTIONAL PAIN, SUFFERING HARASSMENT, DISCRIMINATION, DISPLAYMENT, RETALIATION, PENITIVE DAMAGES.

DAMAGES FOR UNDER PAYING IT'S EMPLOYEES TO BE DETERMINED BY THE COURT.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Equal Pay - On September 7th, 2020 @ 16:06 hours an email from Mr. Wilson to Arti Prasad about the conversations with other drivers about pay issues. In this email Mr. Wilson detailed the fact that the company (Stryder Motorfreight) was paying new hires at a rate of 22.00 an hour. You had drivers in other locations, Lacey, and Tacoma. That were being paid less than 22.00 an hour and had been with the company for years with more experience. Once the email was sent no further details of this matter were released. All drivers in this company perform the same content and should be paid as such and this was not being done. Hours of regular pay as well as overtime hours were missed and this company did nothing to solve the problem. Mr. Wilson also informed the company about a 30 minute break rule that went into effect on September 28th, 2020 by the FMCSA. Which stated that the drivers of CMV (Commercial Motor Vehicles) could take their required break on-duty and the company would pay them for it. The company started by subtracting the pay of those that took their breaks and wrote them down. If a driver did not write down a break on their trip sheet that 30 minute break would not be taken from their pay. Washington State Law says that employees have to take a off duty none paid 30 minute break. Now with the FMCSA rule in effect that changed how the drivers were paid, under those guidelines that became an issue. The pay for the same work under the same content was not being effected company wide.

Harrassment & Hostile Work Environment - Mr. Wilson started having problems with one dispatcher by the name of Arjun Mangat. As required by the company trip numbers have to be written on the trip sheets by the drivers. At night when Arjun was on duty Mr. Wilson would have issues with getting these numbers which meant that his paperwork would be late for payroll cut off and would not be added to the upcoming check. On October 30th, 2020 Mr. Wilson sent an email to Arti Prasad, Daniel Bajaj (Lead Dispatcher for USA Lane), as well as Payroll. This was a major problem that everyone in the company knew about and yet it was never fixed. Following this email that is when the harrassment started. Arjun began with continued disregard for the trip number policy. Then the never ending phone calls began, the disrespectful remarks on phone calls. Wrong locations of loads and wrong load numbers. After further conversations between Mr. Wilson and Arti Prasad, and Daniel Bajaj about this matter and the person involved Arjun Mangat. Mr. Wilson informed the dispatch team that he would no longer work the lane to cross into Canada because he would have to deal with Arjun Mangat. It became so bad that on 01/11/2021 Mr. Wilson sent an email to resign his position because he couldn't deal with this dispatcher anymore. Nothing was ever done, no higher up manager ever contacted Mr. Wilson about this problem , but the management team that he had contact with knew about the harrassment and allowed it to continue.

Disparate Treatment & Disparate Impact Discrimination - On multiple occasions Mr. Wilson and Arti Prasad would sit in her office and talk about events that where taking place in the company. A few times they would talk about the citations that drivers in the company where receiving. One was when a driver was cited for driving while on his/her cell phone. Another time was when Mr. Wilson was sent back to the cross boarder lane to take loads from the U.S. into Canada for the company. This action was done, because the main driver that they had Hector was being pulled from that lane because he had received approx. six citations for DOT violations between the U.S. and Canada. Hector was never terminated but was able to resign his position on 02/20/2021. On 02/23/2021 and 02/24/2021 Mr. Wilson received one citation each day and was terminated for it.

Retaliation - Mr. Wilson believes that because of his stance on the conduct of the company and his outspokenness of their actions. As well as the emails about the harrassment within the company. This left the door open for the company to terminate his employment. It was stated on 02/25/2021 when the termination was set to take place, but was then turned into a 5 day suspension that Mr. Wilson knows the law. Following this action, but before Mr. Wilson could return to work from the 5 day suspension he was terminated via a phone call from Arti Prasad.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Mr. Wilson believes that due to the companies active measures at not paying the amount to the drivers that worked for a lower rate. Those hours of pay have not been corrected to this day. Effectively as of February the company made it mandatory that everyone take a none paid break. The hours that where taken from these drivers and the pay wages that were lost has not been paid to those driver.

- Compensation for wages lost back dated to when the pay raise went into effect for new hires. This is to include all regular hours and overtime hours at the new rate of pay.

- Meal break wage lose for driver that took the break and where not paid for it from the day the FMCSA rule went into effect. Until the day the company forced all driver to sign a memo stating that they are required to take a 30 minute break.

- Mr. Wilson is seeking 150,000 in emotional and punitive damages for the work environment that he had to endure while working for this company over the course of six months. The problems still continues, because the dispatcher Arjun Mangat is still employed with the company. Previous drivers that were hired and left the company years before Mr. Wilson was employed reported the same problems with this same person and nothing was done to fix the issue and still hasn't.

- Mr. Wilson is seeking 200,000 for the Disparate treatment and disparate impact discrimination. The company discriminated against Mr. Wilson while allowing other drivers to remain employed for the same if not similar actions taken by Mr. Wilson. This left Mr. Wilson as an outcast in the company that he worked, he was shamed and his record disgraced.

- Mr. Wilson is seeking 50,000 for the retaliation practices of this company towards him. The actions of this company and the discharge that he was left with as a result. Forced Mr. Wilson to take a job with a smaller company, because no larger company would hire Mr. Wilson. Mr. Wilson would also like for the companies discharge of his employment to be reversed and Mr. Wilson would like to be allowed to resign from the company due to their actions during the six months that he was with the company.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

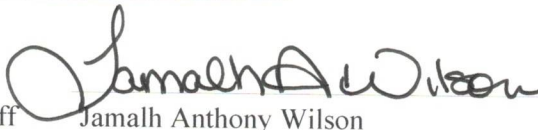
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/15/2021

Signature of Plaintiff

Printed Name of Plaintiff


Jamalh Anthony Wilson

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address